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KERALA GAZETTE

EXTRAORDINARY

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Report of the Select Committee on the Kerala Stay of Eviction Proceedings (Amendment) Bill, 1960 and the Bill as reported by the Committee.

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and before the commencement of the Kerala Stay of Eviction Proceedings (Amendment) Act, 1960, any person has been evicted from his holding in execution of a decree or order passed by a court and such decree or order would not have been passed if the said Act had been in force at the time, the person so evicted shall be entitled to be restored to the possession or occupation of such holding with all the rights and subject to all the liabilities to which he was entitled or liable immediately before such eviction, if he makes an application in that behalf to the court which passed the decree or order within thirty days from the commencement of the said Act:

Provided that before such restoration is effected the applicant shall be bound to return or pay to the person who evicted him—

(i) the value, if any, paid by such person to the applicant for improvements;

(ii) the value of improvements, if any, effected *bona fide* by such person between the date on which he obtained possession of the holding and the date on which possession or occupation thereof is restored to the applicant.

(2) Nothing contained in this Section shall affect the rights of a *bona fide* transferee from the person who evicted."

5. *Amendment of Section 5.*—In Section 5 of the principal Act, for the word "kudiyiruppu" wherever it occurs, the word "kudikidappu" shall be substituted.

D. TIRUMALAI,

Secretary.

Legislative Assembly.